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Legislative History – Montana Session Law

Chapter: 413 Session L: 1999

Bill Number: SB 463

Checklist of Bill History

History and Final Status Sheet	☒
Introduced Bill	☒
Fiscal Note	☐
Third Reading Bill	☐
Final Version of Bill	☐

House

Committee: Judiciary

Hearing Date(s): 3/23/1999

Committee Report: 3/26/1999

Senate

Committee: Judiciary

Hearing Date(s): 2/16/1999

Committee Report: 2/17/1999

Conference Committee

Hearing Date(s):

Conference Committee Report:

Compiler Notes

Compiled by: SK Marshall

Date: 5/22/2025

Notes: Any recordings/committee minutes will be held by the Montana Historical Society

Thank you!

Senate BILL NO. 463

1

2

INTRODUCED BY

(Primary Sponsor)

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11

12

Section 1. Section 18-1-404, MCA, is amended to read:

13

"18-1-404. Liability of state -- costs. (1) (a) The state of Montana is liable in respect to any contract entered into in the same manner and to the same extent as a private individual under like circumstances, except the state of Montana is not liable for punitive damages.

16

(b) The state of Montana is liable for interest from the date on which the payment on the contract became due. This liability is retroactive, within the meaning of 1-2-109, and applies to any contract in effect or an action pending on a contract on or after May 1, 1997. For purposes of this section, the interest rate is 10% simple interest each year, whether due before or after a judgment. If the contract does not specify when interest is payable before a judgment, interest must be paid at the time provided in 17-8-242(2).

22

(2) Costs may be allowed as provided in 25-10-711. In all other cases, costs must be allowed in all courts to the successful claimant to the same extent as if the state of Montana were a private litigant. The costs must include attorney fees. The liability for attorney fees is retroactive, within the meaning of 1-2-109, and applies to any contract in effect or an action pending on a contract on or after May 1, 1997.

26

(3) This section does not apply to a contract governed by Title 19."

27

28

NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

29

- END -

Senate BILL NO. 463

1

2

INTRODUCED BY

(Primary Sponsor)

3

4

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE STATE'S LIABILITY FOR INTEREST AND ATTORNEY FEES IN A JUDGMENT ON A CONTRACT, PROVIDED FOR IN CHAPTER 508, LAWS OF 1997, IS RETROACTIVE TO AND APPLIES TO CONTRACTS IN EFFECT ON MAY 1, 1997, THE DATE ON WHICH CHAPTER 508 TOOK EFFECT; AMENDING SECTION 18-1-404, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

9

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11

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26

(3) This section does not apply to a contract governed by Title 19."

27

28

NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

29

- END -

BILL NO. 463

INTRODUCED BY

(Primary Sponsor)

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

- END -

APPROVED BY COM
ON JUDICIARYSenate BILL NO. 463

1

2 INTRODUCED BY

(Primary Sponsor)

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE STATE'S LIABILITY FOR INTEREST AND
5 ATTORNEY FEES IN A JUDGMENT ON A CONTRACT, PROVIDED FOR IN CHAPTER 508, LAWS OF 1997,
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7 CHAPTER 508 TOOK EFFECT; AMENDING SECTION 18-1-404, MCA; AND PROVIDING AN IMMEDIATE
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16 (b) The state of Montana is liable for interest from the date on which the payment on the contract
17 became due. This liability is retroactive, within the meaning of 1-2-109, and applies to any contract in
18 effect or an action pending on a contract on or after May 1, 1997. For purposes of this section, the
19 interest rate is 10% simple interest each year, whether due before or after a judgment. If the contract
20 does not specify when interest is payable before a judgment, interest must be paid at the time provided
21 in 17-8-242(2).

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23 all courts to the successful claimant to the same extent as if the state of Montana were a private litigant.
24 The costs must include attorney fees. The liability for attorney fees is retroactive, within the meaning of
25 1-2-109, and applies to any contract in effect or an action pending on a contract on or after May 1, 1997.

26 (3) This section does not apply to a contract governed by Title 19."

27

28 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

29

- END -

SENATE BILL NO. 463

INTRODUCED BY J. WELLS

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE STATE'S LIABILITY FOR INTEREST AND ATTORNEY FEES IN A JUDGMENT ON A CONTRACT, PROVIDED FOR IN CHAPTER 508, LAWS OF 1997, IS RETROACTIVE TO AND APPLIES TO CONTRACTS IN EFFECT ON MAY 1, 1997, THE DATE ON WHICH CHAPTER 508 TOOK EFFECT; AMENDING SECTION 18-1-404, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

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(3) This section does not apply to a contract governed by Title 19."

NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

- END -



AN ACT PROVIDING THAT THE STATE'S LIABILITY FOR INTEREST AND ATTORNEY FEES IN A JUDGMENT ON A CONTRACT, PROVIDED FOR IN CHAPTER 508, LAWS OF 1997, IS RETROACTIVE TO AND APPLIES TO CONTRACTS IN EFFECT ON MAY 1, 1997, THE DATE ON WHICH CHAPTER 508 TOOK EFFECT; AMENDING SECTION 18-1-404, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.

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(2) Costs may be allowed as provided in 25-10-711. In all other cases, costs must be allowed in all courts to the successful claimant to the same extent as if the state of Montana were a private litigant. The costs must include attorney fees. The liability for attorney fees is retroactive, within the meaning of 1-2-109, and applies to any contract in effect or an action pending on a contract on or after May 1, 1997.

(3) This section does not apply to a contract governed by Title 19."

Section 2. Effective date. [This act] is effective on passage and approval.

- END -

Exported Data

Date	Action	Committee	Votes (Yes)	Votes (No)	Media
04/22/99	Chapter Number Assigned				
04/21/99	(S) Signed by Governor				
04/12/99	(S) Transmitted to Governor				
04/12/99	(H) Signed by Speaker				
04/10/99	(S) Signed by President				
04/01/99	(C) Printed - New Version Available				
04/01/99	(S) Returned from Enrolling				
03/31/99	(S) Sent to Enrolling				
03/31/99	(H) Returned to Senate				
03/31/99	(H) 3rd Reading Concurred		76	22	
03/31/99	(H) Scheduled for 3rd Reading				
03/30/99	(C) Printed - New Version Available				
03/30/99	(H) 2nd Reading Concurred		75	23	
03/30/99	(H) Scheduled for 2nd Reading				
03/27/99	(H) Committee Report--Bill Concurred	(H) Judiciary			
03/26/99	(H) Committee Executive Action--Bill Concurred	(H) Judiciary	19	0	
03/23/99	(H) Hearing	(H) Judiciary			
03/02/99	(H) Referred to Committee	(H) Judiciary			
03/02/99	(H) First Reading				
02/22/99	(S) Transmitted to House				
02/22/99	(S) 3rd Reading Passed		49	0	
02/22/99	(S) Scheduled for 3rd Reading				
02/20/99	(S) 2nd Reading Passed		46	0	
02/20/99	(S) Scheduled for 2nd Reading				
02/19/99	(S) Scheduled for 2nd Reading				
02/17/99	(S) Committee Report--Bill Passed	(S) Judiciary			
02/17/99	(S) Committee Executive Action--Bill Passed	(S) Judiciary	8	0	
02/16/99	(S) Hearing	(S) Judiciary			
02/12/99	(C) Introduced Bill Text Available Electronically				
02/12/99	(S) Referred to Committee	(S) Judiciary			
02/12/99	(S) First Reading				
02/12/99	(S) Introduced				
02/11/99	(C) Draft Delivered to Requester				
02/06/99	(C) Draft Ready for Delivery				

Date	Action	Committee	Votes (Yes)	Votes (No)	Media
02/06/99	(C) Draft in Assembly/Executive Director Review				
02/06/99	(C) Draft in Final Drafter Review				
02/06/99	(C) Bill Draft Text Available Electronically				
02/06/99	(C) Draft in Input/Proofing				
02/05/99	(C) Draft to Drafter - Edit Review [JLN]				
02/05/99	(C) Draft in Edit				
02/05/99	(C) Draft in Legal Review				
02/01/99	(C) Draft to Requester for Review				
01/06/99	(C) Fiscal Note Probable				
01/06/99	(C) Draft Request Received				

DATE _____

[illegible]



SENATE STANDING COMMITTEE REPORT

February 16, 1999

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** report that **Senate Bill 320** (first reading copy -- white) do pass as amended.

Signed:

A handwritten signature in cursive script, appearing to read "Lorents Grosfield".

Senator Lorents Grosfield, Chair

And, that such amendments read:

1. Page 2, line 18 through line 20.

Strike: subsection (7) in its entirety

Renumber: subsequent subsections

2. Page 2, line 27.

Following: the second "for"

Insert: "the person's"

3. Page 2, line 28.

Following: "injuries"

Strike: "for which a contributing cause was"

Insert: "incurred during"

4. Page 3, line 4 through line 9.

Following: "section." on line 4

Strike: remainder of line 4 through "section." on line 9

- END -

Committee Vote:

Yes 6, No 3.

381401SC.srf

TABLED BILL REPORT

SENATE COMMITTEE

Judiciary

TABLED BILL(S)

SB 328

DATE

2/16/99

Judy Keen
COMMITTEE SECRETARY

4697
PHONE

414
ROOM



SENATE STANDING COMMITTEE REPORT

February 16, 1999

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** report that **Senate Bill 404** (first reading copy -- white) do pass as amended.

Signed:

A handwritten signature in cursive script, reading "Lorents Grosfield".

Senator Lorents Grosfield, Chair

And, that such amendments read:

1. Page 1, line 22.

Following: the first "contributions"

Insert: "made before the suit resulting in judgment was filed"

2. Page 1, line 23.

Following: "contributions"

Insert: "made before the suit resulting in judgment was filed"

- END -

Committee Vote:

Yes 8, No 0.

381358SC.srf



SENATE STANDING COMMITTEE REPORT

February 16, 1999

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** report that **Senate Bill 435** (first reading copy -- white) **do** pass as amended.

Signed:

A handwritten signature in cursive script, appearing to read "Lorent Grosfield".

Senator Lorents Grosfield, Chair

And, that such amendments read:

1. Title, line 8.

Following: "MCA;"

Strike: "AND"

2. Title, page 10.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 43, line 18.

Insert: "NEW SECTION. **Section 60. Effective date.** [This act] is effective on passage and approval."

- END -

Committee Vote:

Yes 8, No 0.

381354SC.srf

MONTANA SENATE
1999 LEGISLATURE
JUDICIARY COMMITTEE
ROLL CALL VOTE

DATE 2-16-99 BILL NO. SB320 NUMBER #1

MOTION: Sen Oaherty moved to amend
SB 320 - Amendments 1 & 2

[illegible]

MONTANA SENATE
1999 LEGISLATURE
JUDICIARY COMMITTEE
ROLL CALL VOTE

DATE 2-16-99 BILL NO. SB320 NUMBER # 2

MOTION: Sen Doherty moved to amend
SB 320 - Amendment #3

[illegible]

MONTANA SENATE
1999 LEGISLATURE
JUDICIARY COMMITTEE
ROLL CALL VOTE

DATE 2-16-99 BILL NO. SB320 NUMBER #3

MOTION: Sen Doherty moved to
Amend SB 320 - Amendments
4 & 7

[illegible]

MONTANA SENATE
1999 LEGISLATURE
JUDICIARY COMMITTEE
ROLL CALL VOTE

DATE 2-16-99 BILL NO. SB320 NUMBER #4

MOTION: Sen Halden moved that
SR320 Do Pass as Amended.

[illegible]

MONTANA SENATE
1999 LEGISLATURE
JUDICIARY COMMITTEE
ROLL CALL VOTE

DATE 2-16-99 BILL NO. SB328 NUMBER # 5

MOTION: Sen Grimes moved to
Table SB328.

[illegible]

DATE 2-16-99

SENATE COMMITTEE ON Judiciary

BILLS BEING HEARD TODAY:

S.B. 435 S.B. 461 S.B. 463

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Kae meclay	875-2222	Landowners	461	✓	
Patsy Glasser	348-3040	Private property rights	461	✓	
JOHN OITZINGER	449-6390	STATE BAR	435	✓	
THOMAS C MORRISON Thomas C Morrison	443-1040	STATE BAR	435		
Gail Abercrombie	442-7882	MT Petroleum Assn	461		✓
Chad Mussard	683-2502	Small Bus.	463	✓	
Bill Tash	444-4185	HD 34	463	✓	
Florence Murphy	307 577-6002	EXPRESS PIPELINE	461		✓
Mike Strand	443-1940	Mt. Ind. Telecommunications	SB 461		✓
Leo Berry	443-6820	Yellowstone Pipeline Co	SB 461		✓
John Fitzpatrick	442-9194	Touch America	SB 461		✓
AARON BRAWNING	449-5640	Northern Plains Resource Council	SB 461	X	
Don Allen	443-5541	CEWA / Cerea	SB 461		✓

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE _____

SENATE COMMITTEE ON _____

BILLS BEING HEARD TODAY: _____

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Barbara Rant	441-7230	USWEST	SB461		✓
Geoff Feiss	442-4316	MT. Telecom. Assn.	SB461		✓
John Cole	448-3690	MDA. MBIP Northern Border	SB461		✓
JAY WATERMAN	497-2441	MPC	SB461		✓
NICK GEE	628-5302	CENEX PIPELINE	SB461		✓

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

LEGISLATIVE TAPE LOG

COMMITTEE:

Judiciary

DATE:

2-16-99

MINUTES

CONTENT NOTES

8:00

Ex Action on SB 320

8:45

Ex Action on SB 328

9:13

Opening on SB 435
Sen. Wells

9:15

Proponents Testimony
John Oitzinger
Daniel Whyte

Thomas C. Marston

9:27

Questions from the Committee

9:38

Hearing on SB 463
Opening by Sen. Wells

9:43

Proponents Testimony
Rep. Bill Tashy
Chad Marston

9:50

Opponents Testimony
Questions from the Committee

10:07

Hearing on SB 461
Opening by Sen. Glaser

LEGISLATIVE TAPE LOG

COMMITTEE:

DATE:

MINUTES

CONTENT NOTES

10:25

Proponents Testimony
Joe McClary
Clint McCray

Opponents Testimony
Les Berry
Florence Murphy
Hail Abercrombie
John Allen

10:39

John Augustine
Mike Lee
Duff Green

Barbara Ray
Ray Waters
Mike Shanahan
Don Allen

10:54

Questions from the Committee

11:35

Executive Action on SB 328
Executive Action on SB 404
Executive Action on SB 435

11:55

Adjournment

DATE _____

2/17/99

[illegible]



SENATE STANDING COMMITTEE REPORT

February 17, 1999

Page 1 of 3

Mr. President:

We, your committee on Judiciary report that Senate Bill 390 (first reading copy -- white) do pass as amended.

Signed:


Senator Lorents Grosfield, Chair

And, that such amendments read:

1. Page 1, line 15.

Following: "compensation"

Strike: "or medical"

2. Page 1, line 16.

Following: "benefits;"

Strike: "and"

3. Page 1, line 17.

Following: "claim"

Strike: "for denied or terminated compensation, benefits, or medical benefits"

4. Page 1, line 18.

Following: "and"

Insert: "; and"

5. Page 1, line 20.

Following: "unreasonable"

Insert: "(c) in the case of attorney fees, the workers' compensation court determines that the insurer's actions in denying liability or terminating benefits were unreasonable"

Committee Vote:

Yes 8, No 0.

391645SC.sjo

6. Page 1, line 21.

Strike: "An award"

Insert: "A finding of unreasonableness"

7. Page 1, line 24.

Insert: "(3) The insurer shall pay reasonable costs and attorney fees as established by the workers' compensation court if:

(a) the insurer denies liability for a claim for medical benefits or terminates medical benefits and the medical benefits are later adjudged compensable by the workers' compensation court; or

(b) the insurer denies liability for a claim for medical benefits or terminates medical benefits and the medical benefits are later settled less than 30 days prior to the scheduled date of hearing before the workers' compensation court."

8. Page 1, line 26.

Following: "may"

Strike: "must"

Insert: "may"

9. Page 1, line 29.

Strike: "or medical benefits"

10. Page 2, line 3.

Strike: "or medical benefits"

11. Page 2, line 9 through line 10.

Following: "~~chapter 18~~" on line 9

Strike: remainder of line 9 through "chapter 18" on line 10

Insert: "An award of attorney fees under subsections (1) and (4) may be made only if it is determined that the actions of the insurer were unreasonable. Any written offer of payment made 30 days or more before the date of hearing must be considered a valid offer of payment for the purposes of this section.

(3) A finding of unreasonableness against an insurer made under this section does not constitute a finding that the insurer acted in bad faith or violated the unfair trade practices provisions of Title 33, chapter 18.

(4) The insurer shall pay reasonable costs and attorney fees as established by the workers' compensation court if the insurer pays or submits a written offer of payment of medical benefits under chapter 71 or 72 of this title but controversy relates to the amount of benefits due, the case is brought before the workers' compensation judge for adjudication of the

controversy, and the award granted by the judge is greater than the amount paid or offered by the insurer"

- END -

TABLED BILL REPORT

SENATE COMMITTEE Sen. Judiciary

TABLED BILL(S) SB 303, SB 461

DATE 2/17/99

Jodi Pauley
COMMITTEE SECRETARY

4685
PHONE

404
ROOM

TABLE.F12



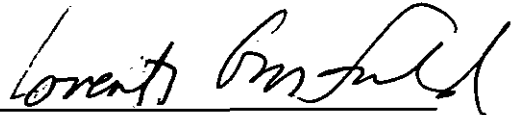
SENATE STANDING COMMITTEE REPORT

February 17, 1999

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** report that **Senate Bill 477** (first reading copy -- white) do pass as amended.

Signed: 
Senator Lorents Grosfield, Chair

And, that such amendments read:

1. Page 1, line 9.

Following: "(1)"

Strike: "An"

Insert: "Except as provided in subsection (2), an"

2. Page 1, line 11.

Following: the second "a"

Insert: "voluntary"

3. Page 1, line 14.

Following: "in"

Insert: "voluntary"

4. Page 1, line 15.

Following: "employer"

Strike: "or"

Insert: ", "

5. Page 1, line 16.

Following: "employment"

Insert: ", or to voluntary ridesharing arrangements subsidized by an employer"

- END -

Committee Vote:

Yes 7, No 1.

391555SC.sjo



SENATE STANDING COMMITTEE REPORT

February 17, 1999

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** report that **Senate Bill 473** (first reading copy -- white) do pass.

Signed: _____

A handwritten signature in cursive script, appearing to read "Lorent Grosfield", is written over a horizontal line.

Senator Lorents Grosfield, Chair

- END -



SENATE STANDING COMMITTEE REPORT

February 17, 1999

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** report that **Senate Bill 463** (first reading copy -- white) **do pass.**

Signed:


Senator Lorents Grosfield, Chair

- END -

Committee Vote:
Yes 8, No 0.

391340SC.sjo

MONTANA SENATE
1999 LEGISLATURE
JUDICIARY COMMITTEE
ROLL CALL VOTE

DATE 2/17/99 BILL NO. SB 390 NUMBER _____

MOTION: Sen. Holden moved to add subsection (4) to
the #11 on the amendments. (Exhibit 1)

[illegible]

MONTANA SENATE
1999 LEGISLATURE
JUDICIARY COMMITTEE
ROLL CALL VOTE

DATE 2/17/99 BILL NO. SB 390 NUMBER

MOTION: Sen. Holden made a substitute motion to insert 30 days into the amendments (exhibit) 1.

[illegible]

MONTANA SENATE
1999 LEGISLATURE
JUDICIARY COMMITTEE
ROLL CALL VOTE

DATE 2/17/99 BILL NO. SB 477 NUMBER _____

MOTION: Crimes moved to table SB 477

[illegible]

DATE 2/17/99

SENATE COMMITTEE ON Judiciary

BILLS BEING HEARD TODAY: SB 450, SB 451, SB 456,
SB 473, SB 476, SB 477 SB 486

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
JOHN CADBY	443-4121	MT BANKERS	SB 476	✓	
Belinda Faragher	782-3123	St. Lynch	SB 450		
Mike Foster	442-4162	MT Contractors' Assoc.	SB 476	✓	
NOEL LARRIVEE	523-4944	MRTMA	SB 477	✓	
G. Van Housen	2-0230	MHP	SB 456	✓	
BETTY WADDELL	442-3525	MT Assoc. of Churches	SB 486	✓	
Don Coburn	227-8629	Self	SB 450		✓
Ronda Carpenter	899-5659	MT Housing Rnders	SB 456	✓	
LEE KIARENG	273-2767				
DUANG KUAPP	" 0188				
AL PONTRELLI	422-9555	MTALU	SB 473	✓	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

LEGISLATIVE TAPE LOG

COMMITTEE:

Sen. Judiciary

DATE:

2-17-99

MINUTES

CONTENT NOTES

8:20-8:27

Executive Action on SB 390, Discussion

8:27-8:48

Discussion on SB 390

8:48-9:00

SB 390 IDAA, and Executive Action
on SB 393 - TABLED

9:00-9:17

Hearing on SB 476, Sen. Al Bishop, SD 9,
Bellings Proponents

9:17-9:24

Questions from committee members,
& Closing

9:24-9:36

Hearing on SB 450, Sen. Q. D. Lynch, SD 19,
Butte, Proponents & opponents,
Informational testimony, Questions

9:36-9:40

Hearing on SB 451, Sen. Q. D. Lynch, SD 19,
Butte, Proponents, Closing

9:40-9:48

Hearing on SB 456, Sen. Bell Wilson, SD 22,
Great Falls, Proponents

9:48-9:56

Questions from committee members,
& Closing

9:56-10:11

Hearing on SB 477, Sen. Dale Mahlum,
SD 35, Missoula, Proponents & opponents
Questions & closing

LEGISLATIVE TAPE LOG

COMMITTEE:

Sen. Judiciary

DATE:

2-17-99

MINUTES

CONTENT NOTES

10:11-10:30

committee took a break

10:30-10:37

Hearing on SB 473, Sen. Steve Osherty, SD 34, Great Falls, Proponents, Questions and Closing.

10:37-11:16

Executive Action SB 477, Executive Action SB 402 and 403

11:16-11:23

executive Action on SB 402 & 403

11:23-11:35

Hearing on SB 486, Sen. Mike Halligan, SD 34, Mussouri. Proponents

11:35-11:51

Questions from Committee, Closing

11:51-12:05

executive action on SB 473 DP. Executive Action SB 416.1 Be TABled. SB 416.3 DP

HOUSE OF REPRESENTATIVE ROLL CALL

JUDICIARY

COMMITTEE

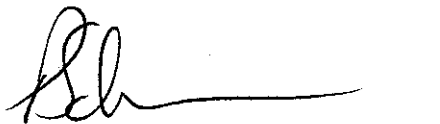
DATE 3/23/99

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>EXCUSED</u>
Robert C. Clark, chair	/		
Dan McGee, vice chair	/		
Diana Wyatt, vice chair	/		
Chris Ahner	/		
Shiell Anderson	/		
Paul Clark	/		
Aubyn A. Curtiss	/		
Bill Eggers	/		
Tom Facey	/		
Steven Gallus	/		
Gail Gutsche	/		
Joan Hurdle	/		
Rick Jore	/		
Sam Kitzenberg	/		
Brad Molnar	/		
Mark Noenning	/		
Jim Shockley	/		
Loren Soft	/		
Carol Williams	/		
Cindy Younkin	/		

COMMITTEE FILE COPY

TABLED BILL

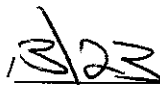
The HOUSE JUDICIARY COMMITTEE TABLED SB 163, by motion, on Tuesday, March 23, 1999.



(For the Committee)



(Chief Clerk of the House)



(Time)

(Date)

March 23, 1999

Pam E. Schindler, Secretary

Phone: 444-4788



HOUSE STANDING COMMITTEE REPORT

March 23, 1999

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** report that **Senate Bill 273** (third reading copy -- blue) be concurred in.

Signed: Robert C. Clark
Representative Robert C. Clark, Chair

To be carried by Representative Jim Shockley

- END -

Committee Vote:
Yes 17, No 3.

651310SC.ham

3-23-99
JMP



HOUSE STANDING COMMITTEE REPORT

March 23, 1999

Page 1 of 2

Mr. Speaker:

We, your committee on Judiciary report that Senate Bill 326 (third reading copy -- blue) be concurred in as amended.

Signed:

Diana Wyatt
Representative Robert C. Clark, Chair

To be carried by Representative Diana Wyatt

And, that such amendments read:

1. Page 12, line 7.

Strike: "or intercepts a telephonic communication"

2. Page 12, line 8.

Strike: " "

Following: "or"

Insert: "or"

Strike: " or"

3. Page 12, line 9.

Strike: "interception"

4. Page 12, line 10.

Strike: the first " "

Insert: "or"

Strike: " or interception"

5. Page 12, line 25.

Insert: "(2) Except as provided in 69-6-104, a person commits the offense of violating privacy in communications if the person purposely intercepts a telephonic voice or data communication. This subsection (2) does not apply to

Committee Vote:

Yes 11, No 9.

6514548C.ham

3/23
mr

March 23, 1999

Page 2 of 2

elected or appointed public officials or employees when the interception is done in the performance of official duty or to persons given warning of the interception."

Renumber: subsequent subsection

- END -

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

HOUSE JUDICIARY

~~X~~ SUBCOMMITTEE

DATE

3/23/99

BILL NO.

NUMBER

MOTION:

SB 163 - move to TABCE
(Passed)

NAME	AYE	NO
ROBERT CLARK, CHAIRMAN		✓
DAN MC GEE, VICE CHAIR	✓	
DIANA WYATT, VICE CHAIR	✓	
CHAIR AHNER		✓
SHEILL ANDERSON	✓	✓
PAUL CLARK	✓	
AUBYN CURTISS		✓
BILL EGGERS	✓	
TOM FACEY		✓
STEVE GALLUS		✓
GAIL GUTSCHE	✓	
JOAN HURDLE	✓	
RICK JORE	✓	
SAM KITZENBERG	✓	
BRAD MOLNAR	✓	
MAKR NOENNING	✓	
JIM SHOCKLEY	✓	
LOREN SOFT		✓
CAROL WILLIAMS	✓	
CINDY YOUNKIN		✓

12 / 8

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

HOUSE JUDICIARY

~~HOUSE~~ SUBCOMMITTEE

DATE

3/23/99

BILL NO.

NUMBER

MOTION:

SB 326 - Motion to Reconsider
Passed

NAME	AYE	NO
ROBERT CLARK, CHAIRMAN	/	
DAN MC GEE, VICE CHAIR	/	/
DIANA WYATT, VICE CHAIR	/	/
CHAIR AHNER	/	/
SHEILL ANDERSON	/	
PAUL CLARK	/	/
AUBYN CURTISS	/	/
BILL EGGERS	/	
TOM FACEY	/	
STEVE GALLUS	/	
GAIL GUTSCHE	/	
JOAN HURDLE	/	
RICK JORE	/	/
SAM KITZENBERG	/	/
BRAD MOLNAR	/	/
MAKR NOENNING	/	
JIM SHOCKLEY	/	/
LOREN SOFT	/	/
CAROL WILLIAMS	/	/
CINDY YOUNKIN	/	/

12 / 8

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

HOUSE JUDICIARY

XSUBCOMMITTEE

DATE 3/23/99 BILL NO. _____ NUMBER _____MOTION: SB 326Wyatt Amendment Passes

NAME	AYE	NO
ROBERT CLARK, CHAIRMAN	✓	
DAN MC GEE, VICE CHAIR		✓
DIANA WYATT, VICE CHAIR	✓	
CHAIR AHNER		✓
SHEILL ANDERSON	✓	
PAUL CLARK	✓	
AUBYN CURTISS		✓
BILL EGGERS	✓	
TOM FACEY	✓	
STEVE GALLUS	✓	
GAIL GUTSCHE	✓	
JOAN HURDLE	✓	
RICK JORE		✓
SAM KITZENBERG	✓	
BRAD MOLNAR		✓
MAKR NOENNING	✓	
JIM SHOCKLEY	✓	
LOREN SOFT		✓
CAROL WILLIAMS	✓	
CINDY YOUNKIN		✓

3 7

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

HOUSE JUDICIARY

X ~~SUB~~ COMMITTEE

DATE

3/23/99

BILL NO.

NUMBER

MOTION:

SB 326 - Re ~~Concurred~~ Amended
Passed

NAME	AYE	NO
ROBERT CLARK, CHAIRMAN	/	
DAN MC GEE, VICE CHAIR		/
DIANA WYATT, VICE CHAIR	/	
CHAIR AHNER		/
SHEILL ANDERSON	/	
PAUL CLARK	/	
AUBYN CURTISS		/
BILL EGGERS	/	
TOM FACEY	/	
STEVE GALLUS	/	
GAIL GUTSCHE	/	
JOAN HURDLE		/
RICK JORE		/
SAM KITZENBERG	/	
BRAD MOLNAR		/
MAKR NOENNING	/	
JIM SHOCKLEY		/
LOREN SOFT		/
CAROL WILLIAMS	/	
CINDY YOUNKIN		/
	11	9

HOUSE OF REPRESENTATIVES COMMITTEE PROXY

DATE 2/23/99

I request to be excused from the Judiciary
Committee meeting this date because of other commitments. I desire
to leave my proxy vote with Dennis Wyatt.

Indicate Bill Number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT	AYE	NO
SB 163		
Suhle	✓	
SB 273	✓	
SB 326		
Suhle	✓	
Amendment	✓	

SENATE BILL/AMENDMENT	AYE	NO

Rep. Dennis Wyatt
(Signature)

HOUSE OF REPRESENTATIVES COMMITTEE PROXY

DATE 3/23/09

I request to be excused from the Julie Meyer
Committee meeting this date because of other commitments. I desire
to leave my proxy vote with Dan Mallee.

Indicate Bill Number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT	AYE	NO
273	X	
163		X

SENATE BILL/AMENDMENT	AYE	NO

Rep. Dan Mallee
(Signature)

HOUSE OF REPRESENTATIVES COMMITTEE PROXY

DATE 3-23-99

I request to be excused from the Judiciary
Committee meeting this date because of other commitments. I desire
to leave my proxy vote with Don Mc Gee.

Indicate Bill Number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT	AYE	NO

SENATE BILL/AMENDMENT	AYE	NO
SB 163	X	
SB 273	X	
SB 36 - to take off table	X	
SB 36 - amendment	X	
SB 326		X

Rep. [Signature]
(Signature)

183

MONTANA HOUSE OF REPRESENTATIVES VISITORS REGISTER

HOUSE JUDICIARY COMMITTEE

DATE 3/23/89

BILL NO. SB 463
SB 472

SPONSOR(S) Senator Wells

PROPONENT (P) OPPONENT (O) INFORMATIONAL (I)
(PLEASE IDENTIFY TYPE OF VISITOR)

PLEASE PRINT

TYPE	NAME	ADDRESS	REPRESENTING
Proponent	Mike Uda	2007th Ave	himself -
P472	GARY MARBUT	MISSOULA	MSSA BSPSC
P472	AM. E. W. S. I.	MISSOULA	WMPFA
O SB 472	BETTY WADDELL	104 24TH ST W. BILLINGS, MT	NWAC
Proponent	Jeff Reising	115 GRAF ST BOZ. MT	Him self

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

293

MONTANA HOUSE OF REPRESENTATIVES VISITORS REGISTER

HOUSE JUDICIARY COMMITTEE

DATE 3/23/89

BILL NO. SB 476

SPONSOR(S) Senator Bishop

PROPONENT (P) OPPONENT (O) INFORMATIONAL (I)
(PLEASE IDENTIFY TYPE OF VISITOR)

PLEASE PRINT

TYPE	NAME	ADDRESS	REPRESENTING
Proponent	Mike Foster	Helena	MT Contractors' Assoc.
Proponent	Ed MARONICK	HELENA	MARONICK CONST.
P	Gene Schadt	Helena	Helena Sand & Gravel
Proponent	Christina Schmitt	Helena	MT Trial Lawyers
I	Angela Fultz	Helena	Sec. of State
P	JOHN CADBY	u	MT BANKERS ASSN.
P	Carl Schweitzer	II	Amer. Sub Assn of MT
I	WILLIAM F. GOWEN	Helena	MLTA & Helena Albert Thy

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

303

MONTANA HOUSE OF REPRESENTATIVES VISITORS REGISTER

HOUSE JUDICIARY COMMITTEE

DATE

3/23/89

BILL NO. SB477

SPONSOR(S) Senator Mahlum

PROPONENT (P) OPPONENT (O) INFORMATIONAL (I)
(PLEASE IDENTIFY TYPE OF VISITOR)

PLEASE PRINT

TYPE	NAME	ADDRESS	REPRESENTING
P	NOEL LARRIVEE	Missoula	MRTMA
P	P. SAINDON	Helena	MDT
I	Christiane Schweitzer	Helena	MTLA

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

Amendments to Senate Bill 326
Prepared for the House Judiciary Committee
(3-23-99)

Section 3:

Page 12

Line 7: Following: "conversation"

Delete: "or intercepts a telephonic communication"

Line 8: Following: "transcription"

Delete: comma

Line 8: Following: "transcription"

Reinsert: "or"

Line 8: Following: "recording"

Delete: ", or interception"

Line 10: Following: "transcription"

Delete: comma

Line 10: Following: "transcription"

Insert: "or"

Line 10: Following: "recording"

Delete: ", or interception"

Line 25: Insert new subsection: "(2) Except as provided in 69-6-104, a person ~~further~~ commits the offense of violating privacy in communications if the person purposely intercepts a telephonic voice or data communication. This subsection (2) does not apply to elected or appointed public officials when the interception is done in the performance of official duty or to persons given warning of the interception

Line 25: Renumber current subsection (2) as subsection (3)

~~-END-~~

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

Tape
Side A

TAPE COUNT

00

35 -

142 -

NOTES

Chambers Clerk opened mtg. 8:00 am

SB 463 - Sponsor Open - Wells

HB 534 - last version - precursor

DOT apply emergency rule from cases
or contract in effect @ time of HB 534

Gov. vetoed Bill last time: until 7/97

Contractors delay on. prob. if can get
away w/ it - contract are no interest -

Can new Business Break if delay
long enough -

Proposed - Mike Cella - self (att'y.)

Concerns in SB 463 - work -

1994 - in suit of DOT - dispute over interpretation

delayed over 1yr - quality of asphalt -

DOT has protected case st. then -
offered a very low amt -

Case is unsettled currently -

Co. has spent over \$90,000 to litigate
suit w/ DOT

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

Tape /
Side A

TAPE COUNT

Cont

NOTES (SB 463)

Proponents -

Settlement not possible

mean to proceed more quickly -

"level the playing field"

Bill w/ correct problem w/ state -

(related story of Massachus)

Opponents - Q

Info - Q

Q's Q

294-

Sponsor Close - Wells

"Jobs: Income Bill"

366-

SB 472 - Sponsor Open - Wells

two money field machine years

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

TAPE COUNT

Cont

NOTES (SB 472)

open. walls

Exhibit 1

Exhibit 2

around courts on machine guns i
Silencer

full compliance of Fed. law

Series 20 - Defense machine gun
original Bill written in 1935 - target

"Tommy Guns"

register weapon w/ ATF - Back round ✓ -
pay \$200 / yr. per year per weapon

steel must federal standards

(related story - John Mercer - gun collector)

"family sporting item"

silencer or is oriented for "sport shooting"
can still shoot w/o noise -

Proposed - Bud Ewell - New Arms
Collectors

enforcement: collectors s/b able
to have these guns -

J - Gary Mackin - Mt. Shasta Spab
Assoc

NRA has been in support of the Bill -

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 5/2/99

Tape
sides

TAPE COUNT

cont.

NOTES (SR 472)

Proposed -

drafted Bill w/ Mt. Sheriff's Rec. Office
Support

Differences between machine guns -

Eg. & pull trigger it fires - or -
eg. & pull trigger it will fire until

clear out of ammunition -

guns used by Police / Sheriff's Dept.
are currently illegal -

liability is extreme for Police Dept.

"housekeeping measures" -

33 firearms at DOT registered

that w/ qualify for this -

Switzer Land: Some have standard
issue machine guns in Eo. home -

Law Enforcement has not found a case
w/ machine guns have been used in
a crime - legally registered -

cause in violence &c. concealed weapons
permits w/ carried in Mt.

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/89

TAPE COUNT

cont.

170 -

NOTES (SB472)

prop.

legislative state law already OK under fed. law.

✓ - Jeff Rising - collector
gen collector - military fire arms -

great while was gen developer -

"Rising Model 50 Machine Gun"

1943-#55 vs Thompson machine gun - #225

shoots a pistol caliber bullet

competitive shooter - "Golden Marksmanship Program"

Admin - under US Army - big emphasis: "Shooter Development"

Silencing w/B a "Fed. Seal" to
Shooter's Spots -

"Keep Mr. Shooter's Spots Alive"

245 -

Opponent - Betty Woodard - At Assoc of Chm
Exhibit 4

"Escalating arms race"

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/79

Tape 1
Side B

TAPE COUNT

Cont.

NOTES (SB472)

opponent

Military groups want these guns,
equipment.Easier for children to handle guns if
"silencers" were allowed
children:15 x 5 more likely to be killed by a
prisoner. More than Ireland

(related story - Bermuda girl)

Can have a safe community w/o guns -

"Do Not seek to Ban Firearms"

Switzerland is neutral - unless country
is threatened

Info - 8

371-

6's - Shockley - machine

- 1.) unique definition of machine gun?
- 2.) 1911 - 91 - 93 - machine gun?
- 3.) R. rapidly? automatically?
- 4.) common language?
- 5.) silencers?
- 6.) detect & accuracy of weapons?

7820

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

TAPE COUNT

cont

NOTES (SB 412)

215

1.) c/n be used on revolvers?

✓ - Hollis - Marbut

1.) arrested police officer?

✓ - Hollis - Sponsor

1.) illegal hunting activities?

2.) any silences "one more, wal"

✓ - P. Clark - Marbut

1.) silences 30.963

2.) page 2 - (enr 3:4 - registration w/ DJS -

3.) 45-8-209 - registration occurring annually? State adequately review registration?

4.) See a need to strike 45-8-209?

✓ - Naennig - Marbut

1.) enr 36 - to enr 6, page 2 - either one "pre-sumption of violation - Confused -

2.) possessors in not illegal?

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/79

TAPE COUNT

Cerv.

170-

194-

241-

284-

313

NOTES (SB472)

2's

✓ Shockley - Sponsor

1.) automatically?

2.) "TM's" explain fully automatically

✓ - Shockley - Market

1.) same?

2.) provide w/ Fed. Statute?

3.) "Sgt Cycle" vs "Sgt. function"

✓ - R. Clain - Waddell

1.) info in written testimony - 2nd paragraph?

2.) ammo illegal to possess? in MS.

3.) effect of 50 caliber round on vest-

4.) describe Mr. Schmitz?

5.) Mr. Schmitz - criminal?

✓ - Gallus - Market

1.) ammo illegal in MS?

2.) "jacket" on bullet?

✓ - Wms -

Object to 2's
 Note for record - Mrs. Waddell
 was asked 1

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

Tape 2
Sicler A

TAPE COUNT

cont.

324 -

NOTES (SB 472)

75

Sponsor Close - Wells

Exhibit 5

has letter from constituent

Exhibit 6

Senator has lost hearing in Green from
shooting "Big guns"

in Bay new Machine Guns now

haul Schweitzer children in his own
home while Mr. Schweitzer was in
jail -

in Senate a "J.B." to teach safety/guns
to children -

450 -

SB 476 - Sponsor Open - Bishop

Simply Union, residential coach.

pilot program for electronic filing

10920

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

TAPE COUNT

00

10-

NOTES (SB 476)

Spensen opens

Proposers Mike Foster - Mr. Contador Assoc.

Gen. Caus are complicated - etc.

July 98 - met & discuss w/ Mr. Buhse Assoc.

Pilot project working well w/ SB/3 -

work on developing a simplified form
to filing a Gen.

help consumers understand Gen. Caus -

has spoken w/ M&CO: Clerk Recorders
has support - s/minor to cause

terrible w/ Co's.

Sec'y of State discuss credit - they
currently have equipment to handle
electronically -

70-

✓ -

Ed Maidnick Maurice Cont

"notice of intent to file a Gen."

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

TAPE COUNT

CMT

NOTES (SB476)

p/n chg. 20 day time of notification

Change "Lamar" language in Geni.

92-

✓ - John Cadley - Mr. Brunker Assoc.

Educate the home owners - very
cumbersome fee contracts - sub
contractors -

Everyone w/ hand notes -

w/impulse on symptom decrease in '80's

133-

✓ - Carl Schweitzer Assoc. of
Sub-Contractors

Supports

143-

✓ - Gene Schett - Kalamazoo Land

files Geni on behalf on MS: P-

has tried to use present law - 1/2 legal
jargon - 1/2 common language -
home owners are confused -

read w/ intent of law is -

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/2/79

Tape 2
Side B

TAPE COUNT

cont.

195-

221-

252-

NOTES (SB 476)

proponent -

issue is: ~~overcome~~ to people
that w/u scare people of law

"Simplified Language" -

Opponent -

Info - Bill Horn - Helene Obrecht
: Atto

laws are filed in l's -
not filed by name; but by geographic.

Right Program - electronically - w/ help
on a geographic basis -

E's - Noennig - Loren

1.) inconsistency w/ clerk's Cir -
filed w/ Clerk's Records - UCC?
2 different places -

✓ - Noennig - Sponsor

1.) notice of right to claim a law?
computer home owner against
paying there?

2.) Right Propriet part of law?

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 2/23/09

TAPE COUNT

CNA -

238 -

303 -

339 -

432 -

NOTES (SB 476)

P's Nuenig - Sponsor

✓ - Angela ~~Fuller~~ ^{Fuller} Secy of H&B
1.) some ? terminal bundle✓ - Nuenig - Sponsor - Foster
1.) ~~reviser~~ (page 5) language
"domina uni"✓ - Malen - Sponsor - Secy of H&B
1.) mail up fiscal note - d/n reach
\$125,000 - where are A coming from?
2.) #7 iper herin? photo collect?
3.) contractor d/n come up w/ \$

(McGee arsemin Cheri)

✓ - Muelle - Sponsor - Fuller -
1.) private / public partnership?
2.) interests committee - funding in HB2
3.) secy of St working for Gen. Crook.
4.) committee of interests & children -

5.) salary d/n come from taxpayers

14820

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

TAPE COUNT

000

14-

30-

64-

106-

136-

NOTES (SB 476)

7's

✓ - Naernig - Leub
1.) pilot program - ✓ d/ Leub Rec?

Leub of State?

✓ - Naernig - Den White - Leged
Cernice

1.) on record is on "filing" party -

2.) file both places?

✓ - Shockley - White

1.) w/B online w/ 56 counties? w/n

just go directly to counties?

2.) on future - on line - do away w/ federal
@ Leub of St?

3.) how many counties on line?

Sponsor Close - Bishop

inform available now immediately -
"real boon to practicing atty" -

SB 477 - Sponsor Open - Mahlum #35

"an act to do w/ title sharing" -

Leub need an immunity - d/r sue
Employer -

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/79

TAPE COUNT

cnt.

168 -

237 -

262 -

NOTES (SB477)

open -

Proponents - ~~Smith~~ Met. Co. Computer
Fuel Service Ethel

South of Solo (Aug. 93)

Encourage people to carpool -
patterned after statute in Florida -

Propose Mgmt Summary -

St. Paul Hwy: 160 hours signed up commuters club
out of 930 -Limit liability who provide incentives -
p/n take away from participants -✓ - ~~Pat Anderson~~ ^{Severdon} Deputy Chair

result of EIS done south of Mpls.

need alternatives: "MR TMA"

setting up rule - showing - car pools -

Opponents -

Info -

Kathy Schmitt - Mr. Rial
Charles Mahlum -

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/89

Tapes
Sicler
TAPE COUNT

cont.

274-

290-

303-

337-

NOTES (SB477)

vips -

2) - Naennig - Schweitzer

1) community?

✓ - Naennig - Mahlen

1) same?

Sponsor Close - Mahlen

D/n attempt to discriminate against
any employee -

Executive Action

SB 163 (continued) from yesterday 3/22

P. Clark - propose amendment -

page 1 line 25 - "strike" 25, 26, 27

more amendment

(underline bodily injury) "or" bodily

disfigurement" line 28 - line 29 "strike"

line 30 - "strike" from criminal to end of line
insert "means"

page 2 "strike" line 1, line 4 "vandalism

or other unlawful act, involving a recreational
act on track "strike" 5-6 linespage 2 line 27 - page 6 - "10,000" "strike"
insert \$1,000 line - 10 yrs strike, add 6 mos.

17420

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

TAPE COUNT

00

NOTES

SB 163 - Exec. Act.

SB 163 -

P. Clark - Bill so complex: convoluted -
(Explain in amendments.)R. Clark - pages line 14 - people injured as a
result of gun action?

P. Clark - responses

R. Clark - after conviction?

P. Clark - responses

R. Clark - friend / responses / sick as injured

Shackley - felony murder

Shackley - P. Clark - "Bodily injury"

Quemig - responses -

Shackley - P. Clark - page 2 line 4

P. Clark - responses -

with drawn Amendment

MOVE TO TABLE (Roll Call Vote)

SB 163 - Tabled

148 -

SB 273 - DOBONCEM - Chmer

Malman - Yankin - "Little" Bill

Yankin - responses -

Malman - until study is done - no basis
for new judges -

Yankin - responses

Shackley

MOVE TO TABLE

(Roll Call Vote)

Minton / auto

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/09

TAPE COUNT

Cnd.

NOTES (EXEC. COUNCIL)

SB 273

Muddle - heard the #5 - study w/purpose
as right -

2 - 17/3 Jure/Mulken/McGee

SB 273 DoConcur

25 -

Rep. Wyatt - SB 326 -
motion to reconsider
for purpose of amendment -

motion to reconsider Passes 12/8 (Roll Call Vote)

Wyatt - move amendment - Amendment Exhibit 8

(explain amendment)
McGee - Wyatt - reading insert -
set of 4 notes -
Gutsche - responses -

Naennig - responses -

P. Clark - Wyatt - need sentence
"Sub Section etc - dis closure" -
Wyatt - responses -

Naennig - responses -

McGee - appt'd official
P. Clark - responses -

1992

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAVELA SCHINDLER, Secretary

Date: 3/23/99

TAPE COUNT

cmt.

4 00

NOTES (EXEC. AD)

SB 326

Mellor - response

P. Clark - need search warrant.

Mellor - Bill poorly drafted

P. Clark - response -

Mellor - still "legally viable"

P. Clark - response - given notification

Mellor - what protection

Daennig - response

P. Clark - orig. Bill; amendment
current law -

Daennig - Mellor has a point

MOVE:

Send Amendment "delet. AS"
further

Wyatt - OK

P. Clark - clarifies subamend.

R. Clark - response -

Daennig - withdraws Int. Amended Motion
(Pull Call Vote)

Wyatt Amendment

Amendment Pages 13/17

SB 326 Do Concern As Amended. Scelley

Malman - defend camp

Anderson - Malman - illegal to intercept comm.

Daennig - Anderson - sd.

Shockley - vote against

Vander - intercept not defers -

Anderson - how intrusive?

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

Tape 4
side A

TAPE COUNT

Cont.

NOTES (Exec. Act)

SB326

2. - SB 326 Do Concurs Amended
Passed 11/9 (Roll Call
Vote)

180-

Housekeeping Messengers - R. Clark
• Tours Could Be Arranged •
Pine Hills -
St. Hall Reg. Prison -

Butte -
Supreme Ct -
Dist. Cts -
ISP -

Chen - a list?
P. Clark - machine gun in action -

Shoalby Machine Guns -

Shoalby - turn St. Hall -

Shoalby -

Law Enforcement Academy -

26

Meeting Adjourned

11:50am

Amendments to Senate Bill 326
Prepared for the House Judiciary Committee
(3-23-99)

Section 3:

Page 12

Line 7: Following: "conversation"

Delete: "or intercepts a telephonic communication"

Line 8: Following: "transcription"

Delete: comma

Line 8: Following: "transcription"

Reinsert: "or"

Line 8: Following: "recording"

Delete: ", or interception"

Line 10: Following: "transcription"

Delete: comma

Line 10: Following: "transcription"

Insert: "or"

Line 10: Following: "recording"

Delete: ", or interception"

Line 25: Insert new subsection: "(2) Except as provided in 69-6-104, a person ~~further~~ commits the offense of violating privacy in communications if the person purposely intercepts a telephonic voice or data communication. This subsection (2) does not apply to elected or appointed public officials when the interception is done in the performance of official duty or to persons given warning of the interception

Line 25: Renumber current subsection (2) as subsection (3)

~~-END-~~

LEGISLATIVE TAPE LOG
HOUSE JUDICIARY COMMITTEE
PAMELA SCHINDLER, Secretary

Date: 3/23/99

Tape
Side A

TAPE COUNT

00

35 -

142 -

NOTES

Chairman Cole opened mtg. 8:00 am

SB 463 - Sponsor Open - Wells

HB 534 - last version - precursor

DOT apply uniform rule to all cases
or contract in effect @ time of HB 534

Gov. vetoed Bill last time: until 7/97

Contract to delay on, prob. if can get
away w/ it - cost are increased -

Can new Business Break if delay
long enough -

Proposers - Mike Cella - self (att.)

Concerns in SB 463 - work -

1994 - in suit of DOT - dispute over interpretation

delayed over 1yr - quality of asphalt -

DOT has protected case st. then -
offered a very low amt -

Case is unsettled currently -

Co. has spent over \$90,000 to litigate
with DOT

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

Tape /
Sicle A

TAPE COUNT

Cont

NOTES (SB 463)

Proponents -

Settlement not possible

incen/typs DOT to proceed more
quickly -

"level the playing field"

Bill w/ correct problem w/ state -
(related story of Massarel)

Opponents -

Infor -

2's

294-

Sponsor Close - Wells

"Jobs: Income Bill"

366-

SB 472 - Sponsor Open Wells

how many fuel machine years

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

Tape
Silent

TAPE COUNT

001

NOTES (SB 472)

open. walls

Exhibit 1
Exhibit 2
Exhibit 3

Amend Cases on machine guns:
Silencers

full compliance w/ Fed. law

Series 20 - defense machine gun
original Bill written in 1935 - target

"Tommy Guns"

register weapon w/ ATF - Back round ✓ -
pay \$200 fee per year per weapon

street must follow standards

(related story - John Mercer - gun collector)

"family sporting item"

silencer or is oriented for "sport shooting"
can still shoot w/o noise -

Proposed - Bud Powell - New Arms
Collectors

Amendment: collectors s/b able
to have these guns -

J - Gary Mackin - N. Shooting Spab
Assoc

NRA has been in support of the Bill -

24 -

38 -

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 5/23/99

Tape 1
Sicler

TAPE COUNT

cont.

NOTES (SB 472)

Proposed -

Drafted Bill w/ Mt. Sheriff's Peace Officer Support

difference between machine guns -

Ex. & pull trigger it fires - R. -

Ex. & pull trigger it will fire until

clears out of ammunition -

guns used by Police/Sheriff's Dept.
are currently illegal -

liability is extreme for Police Dept.

"housekeeping measures" -

33 firearms at DOT registered

that it qualify for this -

Switzerland: Some have standard
crime machine guns in Ex. home -

Law enforcement has not found a case
w/ machine guns have been used in
a crime - legally registered -

Case on violence & concealed weapons
permits w/ carried in Mt.

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

Tape
side B

TAPE COUNT

cont.

MO -

NOTES (SB472)

prop.

legislation, state law already OK under
Fed. Law.

✓ - Jeff Rising - collector
gun collector - military, fire arms -

great uncle was gun developer -

"Rising Model 50 Machine Gun"

1943-55 vs Thompson machine gun - 225

shoots a pistol caliber bullet

competitive shooter - "Golden Marksmanship
Program"

"Admin - under US Army - big emphasis:
Dr. Shooter Development"

Silencing w/B a "God-Sent" to
Shooting Sports -

"Keep Mt. Shooting Sports alive"

245 -

Opponent - Betty Wexler - Ab Assoc of Chm
Exhibit 4

"escalating arms race"

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/09

TAPE COUNT

Cont.

NOTES (SB472)

opponent

Military groups want these guns,
equipment.Essee for children to handle guns if
"Silencers" were allowed
Children:

15 r's more likely to be killed by a

prisoner. More than Ireland

(related story - Bermuda girl)

can have a safe community w/o guns -

"Do Not say to Ben Fier arms"

Intergovernmental - unless County
is threatened -

Info - R

371-

G's - Shockley - market

- 1.) unique definition of machine gun?
- 2.) 1911-91-93 - machine gun?
- 3.) R. rapidly? automatically?

4.) Corlum language?

5.) Silencers?

6.) distrust & accuracy of weapons?

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

TAPE COUNT

cont

NOTES (SB 412)

215

1.) C/n Re usonm. revolut?

✓ - Hells - Maut

1.) arrested police officer?

✓ - Hells - Sponsor

1.) illegal hunting activities?

2.) hunting silences "one more trial"

✓ - P. Clark - Maut

1.) silences 30.863

2.) page 2 - Gen 3:4 - registration w/ DDT -

3.) 45-8-209 - registration occurring annually? State adequately review registration?

4.) See a need to state 45-8-209?

✓ - Naennig - Maut

1.) Gen 36 - to Gen 6 page 2 - called one "pre-suspension of violation - confused -

2.) possessum is not illegal?

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/89

Tape 2
Side A

TAPE COUNT

cont.

170-

194-

241-

284-

313

NOTES (SB472)

2's

- ✓ Shockley - Sponsor
- 1.) automatically?
 - 2.) "Tm's" explain fully automatically

✓ - Shockley - Mubut

- 1.) same?
- 2.) provide w/ Fed. statute?
- 3.) "5th cycle" vs "5th function"

✓ - R. Clark - Waddell

- 1.) info in written testimony - 2nd paragraph?
- 2.) ammo illegal & passes? in Mt.
- 3.) effect of 50 caliber round on vest-
- 4.) describe Mr. Schmitz?
- 5.) Mr. Schmitz - criminal?

✓ - Gallus Mubut

- 1.) ammo illegal in Mt?
- 2.) "jacket" on bullet?

✓ - Wms -

Object to 2's
Note for record - Mrs. Waddell
was asked 1

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

Tape 2
Sicilia

TAPE COUNT

cont.

324 -

NOTES (SB 472)

75

Sponsor Close - Wells

EXHIBIT 5

has letter from constituent

EXHIBIT 6

Senator has lost hearing in hearing from
Shooting "Big game"

In Bay new Machine Guns now -

Paul Schweitzer children in his own
home while Mr. Schweitzer was in
jail -

is Senate a "JB." to teach safety w/ guns
to children -

450 -

SB 476 - Sponsor Open - Bishop

Simplify Union residential const.

pilot program for electronic filing

10920

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

TAPE COUNT

00

10-

NOTES (SB 476)

sponsored

Proponents Mike Foster - Mt. Carmel Assoc.

Gen. Caus are complicated - etc.

July 98 - met & discuss w/ Mt. Carmel Assoc.

Pilot project working well w/ SB/3 -

work on developing a simplified form
to filing a Gen.

help consumers understand Gen. Caus -

has spoken w/ M&CO: Clerk: Recorder
for support - o/minister to cause

trouble w/ Co's.

Sec'y of State discuss credit - they
currently have equipment to handle
electronically -

70-

✓ -

Ed McDermott Maurice Conn

"notice of intent to file a Gen."

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

TAPE COUNT

NOTES (SB476)

Tape 2
Secret

CMT

p/n chg. 20 day time of notification

Change "Samat" language in Lien -

92 -

✓ - John Cadley - Mt. Bonkers Assoc.

Educate the home owner - very
cumbersome fee contracts - Sub
contractors -
Everyone w/ hand notes -

w/empire on supplan device in 80's

133 -

✓ - Carl Scherzger - Assoc. of
Sub-Contractors

Supports

143 -

✓ - Gene Schett - Helena Land Stand

file Lien on behalf on MS: P -
has tried to use present law - 1/2 legal
jargon - 1/2 common language -
home owners are confused -

search w/ content of law is -

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

TAPE COUNT

cont.

195-

NOTES (SB 476)

proponent -

Issue is: ~~concerns to people~~
 that a lot of people of this

"Simplified Language" -

Opponent -

Info - Bill Grun - ~~helping~~ ~~Obelisk~~
 : Atto

Items are filed in this -
 not filed by name; but by geographic.

Right Program - electronically - w/ help
 on a geographic basis -

221-

E's - Moennig - Lomen

1.) inconsistency w/ clerk's C's -
 filed w/ Clerk's Records - UCC?
 & different places -

252-

✓ - Moennig - Sponsor

1.) notice of right to claim a lien?
 can protect home owner against
 paying there?

2.) Right Project part of this?

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 2/23/99

TAPE COUNT

CINX.

288-

303-

339-

432-

NOTES (SB 476)

P's Moenig - Sponsor

✓ - Angela ~~Stueck~~ Secy of H&B
1.) same? terminal bundle✓ - Moenig - Sponsor - Foster
"Jensen" (page 5) Language

"dawn a uni"

✓ - Moenig - Sponsor - Secy of H&B
1.) add up fiscal note - d/m reach

6) 125000 - where are \$ coming from?

2.) 7 per uni? photo collect?

3.) contractor da come up w/ \$

(McGee assumes Chair)

✓ - McAlle - Sponsor - Fully -
1.) private / public partnership?

2.) interests committee - funding in HB2

3.) Secy of St working for Govt. Assoc.

4.) Committee of interests to Sweden

5.) salary o/w coming from Campaigns

14820

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

TAPE COUNT

~~000~~

14-

30-

64-

106-

136-

NOTES (SB 476)

7's

✓ - Maernig - Fealty
1.) pilot program - ✓ w/ Clerk Rec?

Secy of State?

✓ - Maernig - Den White-Cleged
Clerical

1.) concerns w/ on "filing" party -

2.) file both places?

✓ - Shockley - White
1.) w/B online w/ 56 counties? w/in

just go directly to counties?

2.) on future - on line - do away w/ fee/letter

a) Secy of St?

3.) how many counties on line?

Sponsors Close - Bishop

info not available now immediately -
"real soon to practicing atty" -

SB 477 - Sponsor Open - Mahlum #35

"an act to do w/ rule changing" -

Juni need an immunity - d/n sue
Employer -

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

TAPE COUNT

cnt.

168 -

NOTES (SB477)

open -

Proposed - ~~Smith~~ Melt Co. Computer
Fuel Service Ethanol

South of Solo (Aug. 93)

Encourage people to carpool -
pattern after statute in Florida -

Lopam Mgmt Summary -

St. Paul Hwy: 160 hours signed up commuters club
out of 930 -Limit liability who provide incentives -
p/n take away from participants -

237 -

✓ - ~~Severdon~~ Pat ~~Severdon~~ Deputy Adams

result of EIS done south of Mpls.

need alternatives: "MR TMA"

setting up rule - Sherry - can pool -

262 -

Opponents - D
Info - Rusty Schmitz - Mr. Reed
Charles Mahlum -

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/89

TAPE COUNT

cont.

274-

290-

303-

337-

NOTES (SB477)

cnp -

2) - Naennig - Schweitzer
1) immunity?✓ - Naennig - Mahleem
1) same?

Sponsor Close - Mahleem

D/n attempt to discriminate against
any employee -

Excluding Action

SB 163 (continued) from yesterday 3/22)

P. Clark - propose Amendment -

page 1 line 25 - "strike" 25, 26, 27
more Amendment

Credible bodily injury) "or" bodily

disfigurement" line 28 - line 29 "strike"

line 30 - "strike" from include to end of line
insert "means"

page 2 "strike" line 1, line 4 "vandalism"

or other unlawful act, while engaged in recreational
act. on work "strike" 5 - 6 linepage 2 line 27 - page 6 - \$10,000 "strike"
insert \$1,000 line - 10 hrs strike, add 6 mos.

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

TAPE COUNT

00

NOTES

(SB 163 - Exec. Ord.)

SB 163 -

P. Clark - Bill so complex: convoluted -
(explain his amendments)R. Clark - pages line 14 - people injured as
result of gun action?

P. Clark - responses

R. Clark - open conviction?

P. Clark - responses

R. Clark - friend / trespasses / sick as injured

Shockley - felony murder

Shockley - P. Clark - "Bodily injury"

Quernig - responses -

Shockley - P. Clark - page 2 line 4

P. Clark - responses -

with draw amendment

MOVE TO TABLE (Roll Call Vote)

SB 163 - Tabled

148 -

SB 273 - DoConner - Chner

Malnar - Vankin - "Slits" Bill

Vankin - responses -

Malnar - until study is done - no basis
for new judges -

Vankin - responses

Chner

MOVE TO TABLE

(voice vote)

Anton Vankin

18920

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/09

TAPE COUNT

Cnd.

NOTES (Exec. Sec.)

SB 273

Huddle - heard the #5 - study w/purpose
as right -

2 - 17/3 Joe/Mulvan/McGee

SB 273 DoConcur

25 -

Rep. Wyatt - SB 326 -
motion to reconsider
for purpose of amendment -

motion to reconsider Pages 12/8 (Roll Call Vote)

Wyatt - move Amendment - Amendment Exhibit 8

(explain amendment)
McGee - Wyatt - reading insert -
Judy of St. Louis -
Gutsche - responses -

Noennig - responses -

P. Clark - Wyatt - need to know
"Sub Section Etc - dis closure" -
Wyatt - responses -

Noennig - responses -

McGee - apptl official
P. Clark - responses -

1990

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/89

TAPE COUNT

cmt.

NOTES (Exec. Act)

SB 326

Meehan - response

P. Clark - need search warrant

Meehan - Bill poorly drafted

P. Clark - response -

Meehan - still "legislative case"

P. Clark - response - give notification

Meehan - which protection

Daemmig - response

P. Clark - orig. Bill: amendment
current law -

Daemmig - Meehan has a point

MOVE:

Sub Amendment

"deletable"

Wyatt - OK

P. Clark - clarify subamend.

R. Clark - response -

Daemmig - withdrew Sub. Amend. Motion

(Roll Call Vote)

Wyatt Amendment

Amendment Passed

SB-326 Do Concern As Amended. Lilles

Malman - defense case

Anderson - Malman - illegal to intercept comm.

Daemmig - Anderson - sd.

Shackley - vote against

Anderson - intercept not defense -

Anderson - how intrusive?

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/23/99

Tape 4
side A

TAPE COUNT

Cont.

NOTES (Exec. Act)

SB326

2. - SB 326 Do Concur as Amended
Passed 11/9 (Roll Call
Vote)

180-

Housekeeping measures - R. Clark
• Tour Court Be changed •
Fire Hills -
H. Hall Reg. Person -

Butler -
Supreme Ct -
Dist. Cts -
ISP -

Chen - a list?
P. Clark - machine gun in action -

Shonley, Machine Gun -

Shonley - ten H. Hall -

Shonley -

Law Enforcement Academy -

26-

Meeting Adjourned

11:50am

HOUSE OF REPRESENTATIVE ROLL CALL

JUDICIARY

COMMITTEE

DATE 3/26/99

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>EXCUSED</u>
Robert C. Clark, chair	/		
Dan McGee, vice chair	/		
Diana Wyatt, vice chair	/		
Chris Ahner		/	
Shiell Anderson	/		
Paul Clark	/		
Aubyn A. Curtiss	/		
Bill Eggers	/		
Tom Facey	/		
Steven Gallus	/		
Gail Gutsche	/		
Joan Hurdle	/		
Rick Jore	/		
Sam Kitzenberg	/		
Brad Molnar	/		
Mark Noenning	/		
Jim Shockley	/		
Loren Soft	/		
Carol Williams	/		
Cindy Younkin	/		

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

HOUSE JUDICIARY

~~X~~SUBCOMMITTEE

DATE 3/26/99

BILL NO. _____

NUMBER _____

MOTION: _____

SB 523

move to table (failed)

NAME	AYE	NO
ROBERT CLARK, CHAIRMAN	/	
DAN MC GEE, VICE CHAIR	/	
DIANA WYATT, VICE CHAIR		/
CHAIR AHNER	/	
SHEILL ANDERSON	/	
PAUL CLARK	/	
AUBYN CURTISS	/	
BILL EGGERS	/	
TOM FACEY	/	
STEVE GALLUS	/	
GAIL GUTSCHE	/	
JOAN HURDLE	/	
RICK JORE	/	
SAM KITZENBERG	/	
BRAD MOLNAR	/	
MAKR NOENNING	/	
JIM SHOCKLEY	/	
LOREN SOFT	/	
CAROL WILLIAMS	/	
CINDY YOUNKIN	/	
	8	11

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

HOUSE JUDICIARY

~~HOUSE~~ SUBCOMMITTEE

DATE

3/26

BILL NO.

NUMBER

MOTION:

SB 503 - Do Concern

- Passed

NAME	AYE	NO
ROBERT CLARK, CHAIRMAN		✓
DAN MC GEE, VICE CHAIR		✓
DIANA WYATT, VICE CHAIR	✓	
CHAIR AHNER	✓	
SHEILL ANDERSON		✓
PAUL CLARK	✓	
AUBYN CURTISS		✓
BILL EGGERS	✓	
TOM FACEY	✓	
STEVE GALLUS	✓	
GAIL GUTSCHE	✓	
JOAN HURDLE	✓	
RICK JORE		✓
SAM KITZENBERG	✓	
BRAD MOLNAR		✓
MAKR NOENNING		✓
JIM SHOCKLEY	✓	
LOREN SOFT		✓
CAROL WILLIAMS	✓	
CINDY YOUNKIN		✓
	10	9

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

HOUSE JUDICIARY

X ~~SUB~~ COMMITTEEDATE 3/26/99 BILL NO. _____ NUMBER _____

MOTION: _____

SB 505 Anderson Amendment
failed

NAME	AYE	NO
ROBERT CLARK, CHAIRMAN	/	
DAN MC GEE, VICE CHAIR	/	/
DIANA WYATT, VICE CHAIR		/
CHAIR AHNER	/	/
SHEILL ANDERSON	/	
PAUL CLARK	/	/
AUBYN CURTISS	/	/
BILL EGGERS	/	/
TOM FACEY	/	/
STEVE GALLUS	/	/
GAIL GUTSCHE	/	/
JOAN HURDLE	/	/
RICK JORE	/	
SAM KITZENBERG	/	/
BRAD MOLNAR	/	
MAKR NOENNING	/	/
JIM SHOCKLEY	/	
LOREN SOFT	/	/
CAROL WILLIAMS	/	/
CINDY YOUNKIN	/	/
	6	12

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

HOUSE JUDICIARY

~~X~~SUBCOMMITTEE

DATE 3/26/99

BILL NO. _____

NUMBER _____

MOTION: SB 505

*Do Concur As Amended
(Passed)*

NAME	AYE	NO
ROBERT CLARK, CHAIRMAN	☒	☒
DAN MC GEE, VICE CHAIR	☒	☒
DIANA WYATT, VICE CHAIR	☒	☐
CHAIR AHNER	☒	☒
SHEILL ANDERSON	☒	☒
PAUL CLARK	☒	☐
AUBYN CURTISS	☒	☒
BILL EGGERS	☒	☐
TOM FACEY	☒	☐
STEVE GALLUS	☒	☐
GAIL GUTSCHE	☒	☐
JOAN HURDLE	☒	☐
RICK JORE	☒	☒
SAM KITZENBERG	☒	☐
BRAD MOLNAR	☒	☒
MAKR NOENNING	☒	☐
JIM SHOCKLEY	☒	☒
LOREN SOFT	☒	☐
CAROL WILLIAMS	☒	☐
CINDY YOUNKIN	☒	☐
	☒	☒

12

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

HOUSE JUDICIARY

~~HOUSE~~ SUBCOMMITTEE

DATE 3/26

BILL NO. _____

NUMBER _____

MOTION: _____

SB198- Do Concurs As Amended.

NAME	AYE	NO
ROBERT CLARK, CHAIRMAN		
DAN MC GEE, VICE CHAIR		
DIANA WYATT, VICE CHAIR		
CHAIR AHNER		
SHEILL ANDERSON		
PAUL CLARK		
AUBYN CURTISS		
BILL EGGERS		
TOM FACEY		
STEVE GALLUS		
GAIL GUTSCHE		
JOAN HURDLE		
RICK JORE		
SAM KITZENBERG		
BRAD MOLNAR		
MAKR NOENNING		
JIM SHOCKLEY		
LOREN SOFT		
CAROL WILLIAMS		
CINDY YOUNKIN		

9 10

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

HOUSE JUDICIARY

~~HOUSE~~ SUBCOMMITTEE

DATE

3/26/99

BILL NO.

NUMBER

MOTION:

SB 33- DoCenau

Panes

NAME	AYE	NO
ROBERT CLARK, CHAIRMAN	✓	
DAN MC GEE, VICE CHAIR	✓	
DIANA WYATT, VICE CHAIR		✓
CHAIR AHNER	✓	
SHEILL ANDERSON	✓	
PAUL CLARK	✓	
AUBYN CURTISS	✓	
BILL EGGERS	✓	
TOM FACEY	✓	
STEVE GALLUS	✓	
GAIL GUTSCHE	✓	
JOAN HURDLE	✓	
RICK JORE	✓	
SAM KITZENBERG	✓	
BRAD MOLNAR	✓	
MAKR NOENNING	✓	
JIM SHOCKLEY	✓	
LOREN SOFT	✓	
CAROL WILLIAMS	✓	
CINDY YOUNKIN	✓	

10 9

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

HOUSE JUDICIARY

~~HOUSE~~ SUBCOMMITTEEDATE 3/26/99 BILL NO. _____ NUMBER _____

MOTION: _____

SB 36 - Do Concern As Amended
(Passed)

NAME	AYE	NO
ROBERT CLARK, CHAIRMAN	/	
DAN MC GEE, VICE CHAIR	/	
DIANA WYATT, VICE CHAIR	/	
CHAIR AHNER	/	
SHEILL ANDERSON	/	
PAUL CLARK	/	
AUBYN CURTISS	/	
BILL EGGERS	/	
TOM FACEY	/	
STEVE GALLUS	/	
GAIL GUTSCHE	/	
JOAN HURDLE	/	
RICK JORE	/	
SAM KITZENBERG	/	
BRAD MOLNAR	/	
MAKR NOENNING	/	
JIM SHOCKLEY	/	
LOREN SOFT	/	
CAROL WILLIAMS	/	
CINDY YOUNKIN	/	
	/	

HOUSE OF REPRESENTATIVES COMMITTEE PROXY

DATE 3/26/99

I request to be excused from the Judiciary
Committee meeting this date because of other commitments. I desire
to leave my proxy vote with Rep Wyat.

Indicate Bill Number and your vote Aye or No. If there are
amendments, list them by name and number under the bill and
indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT	AYE	NO

SENATE BILL/AMENDMENT	AYE	NO
<u>SB 198</u>	☒	

Rep. [Signature]
(Signature)

HOUSE OF REPRESENTATIVES COMMITTEE PROXY

DATE _____

I request to be excused from the _____
Committee meeting this date because of other commitments. I desire
to leave my proxy vote with _____.

Indicate Bill Number and your vote Aye or No. If there are
amendments, list them by name and number under the bill and
indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT	AYE	NO
HB 198		X

SENATE BILL/AMENDMENT	AYE	NO

Rep. San K. K. K.
(Signature)



HOUSE STANDING COMMITTEE REPORT

March 26, 1999

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** report that **Senate Bill 477** (third reading copy -- blue) be concurred in.

Signed: Robert Bob Clark
Representative Robert C. Clark, Chair

To be carried by Representative Gail Gutsche

- END -

Committee Vote:
Yes 16, No 3.

681415SC.ham

3/26/99
3/26



HOUSE STANDING COMMITTEE REPORT

March 26, 1999

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** report that **Senate Bill 481** (third reading copy -- blue) be concurred in.

Signed: Robert C. Clark
Representative Robert C. Clark, Chair

To be carried by Representative Tom Facey

- END -

Committee Vote:
Yes 17, No 2.

681416SC.ham

3/26



HOUSE STANDING COMMITTEE REPORT

March 26, 1999

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** report that **Senate Bill 486** (third reading copy -- blue) be concurred in as amended.

Signed: Robert C. Clark
Representative Robert C. Clark, Chair

To be carried by Representative Brad Molnar

And, that such amendments read:

1. Page 5, line 18.

Following: "INTEREST IN"

Insert: "a child under 40-4-211".

- END -

Committee Vote:

Yes 17, No 2.

681418SC.ham

3/26/99
3-26



HOUSE STANDING COMMITTEE REPORT

March 26, 1999

Page 1 of 1

Mr. Speaker:

We, your committee on Judiciary report that **Senate Bill 503** (third reading copy -- blue) be concurred in.

Signed: Robert C. Clark
Representative Robert C. Clark, Chair

To be carried by Representative Chris Ahner

- END -

Committee Vote:
Yes 10, No 9.

681419SC.ham

3/31/99



HOUSE STANDING COMMITTEE REPORT

March 26, 1999

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** report that **Senate Bill 505** (third reading copy -- blue) be concurred in as amended.

Signed: Robert C. Clark
Representative Robert C. Clark, Chair

To be carried by Representative Loren Soft

And, that such amendments read:

1. Title, line 9.

Strike: "PROVIDING A CONTINGENT VOIDNESS PROVISION;"

2. Title, line 10.

Strike: "A CONTINGENT"

Insert: "AN"

3. Page 7, line 10 through line 21.

Strike: sections 3 and 4 in their entirety

Insert:

"NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 1999."

Renumber: subsequent section

- END -

Committee Vote:

Yes 12, No 7.

681421SC.ham

Handwritten:
3 pm
3-26



HOUSE STANDING COMMITTEE REPORT

March 26, 1999

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** report that **Senate Bill 463** (third reading copy -- blue) be concurred in.

Signed: _____
Representative Robert C. Clark, Chair

To be carried by Representative Cindy Younkin

- END -

Committee Vote:
Yes 19, No 0.

681409SC.ham

3/27/99



HOUSE STANDING COMMITTEE REPORT

March 26, 1999

Page 1 of 1

Mr. Speaker:

We, your committee on Judiciary report that Senate Bill 473 (third reading copy -- blue) be concurred in.

Signed: Robert C. Clark
Representative Robert C. Clark, Chair

To be carried by Representative Mark Noennig

- END -

Committee Vote:
Yes 19, No 0.

681410SC.ham

8.
30m
3/26



HOUSE STANDING COMMITTEE REPORT

March 26, 1999

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** report that **Senate Bill 33** (third reading copy -- blue) be concurred in.

Signed: Robert C. Clark
Representative Robert C. Clark, Chair

To be carried by Representative Sam Kitzenberg

- END -

Committee Vote:
Yes 10, No 9.

681412SC.ham

38m
3B-36



HOUSE STANDING COMMITTEE REPORT

March 26, 1999

Page 1 of 2

Mr. Speaker:

We, your committee on **Judiciary** report that **Senate Bill 36** (third reading copy -- blue) be concurred in as amended.

Signed: Robert C. Clark
Representative Robert C. Clark, Chair

To be carried by Representative Loren Soft

And, that such amendments read:

1. Page 1, line 16.

Strike: ", except for reimbursement for supplies"

2. Page 1, line 20.

Following: "HYGIENIST."

Insert: "Each patient must be given notice that under state law the medical practitioner or dental hygienist cannot be held legally liable for ordinary negligence if the medical practitioner or dental hygienist does not have malpractice insurance."

3. Page 1, line 26 through line 27.

Strike: "IN WHOLE" on line 26 through "OR IN PART" on line 27

4. Page 1, line 27.

Strike: ", EXCEPT FOR REIMBURSEMENT FOR SUPPLIES"

Insert: "or that is operated as a health center under 42 U.S.C. 254b"

5. Page 1, line 29 through page 2, line 1.

Strike: "PROVIDER" on page 1, line 29 through "RENDERED" on page 2, line 1

Committee Vote:

Yes 15, No 2.

681413SC.ham

28
3/27/99
3/26

March 26, 1999

Page 2 of 2

Insert: "medical practitioner or dental hygienist voluntarily rendered health care without receiving any reimbursement or compensation"

6. Page 2, line 2.

Insert: "(3) Subsection (1) applies only to a medical practitioner or dental hygienist who:

(a) does not have malpractice insurance coverage because the medical practitioner or dental hygienist is retired or is otherwise not engaged in active practice; or

(b) has malpractice insurance coverage that has a rider or exclusion that excludes coverage for services provided under this section."

- END -

HOUSE OF REPRESENTATIVES COMMITTEE PROXY

DATE 3-26-99

I request to be excused from the Judiciary
Committee meeting this date because of other commitments. I desire
to leave my proxy vote with Mark Nozner.

Indicate Bill Number and your vote Aye or No. If there are
amendments, list them by name and number under the bill and
indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT	AYE	NO

SENATE BILL/AMENDMENT	AYE	NO
477	X	
481	X	
486	X	
503		X
463	X	
473		
198	X	

Rep. [Signature]
(Signature)

HOUSE OF REPRESENTATIVES COMMITTEE PROXY

DATE 3/26/99

I request to be excused from the House Judiciary
Committee meeting this date because of other commitments. I desire
to leave my proxy vote with ~~Clark, Scott~~.

Vote w/ Clark - Shakley

Indicate Bill Number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT	AYE	NO
SB. 477	☒	☒
SB 481	☒	☐
SB 486	☒	☐
SB 503	☐	☒
SB 505	☐	☒
SB 463	☒	☐
SB 473	☒	☐
SB 198	☐	☒
SB 33	☒	☐
SB 22	☒	☐
SB 36	☐	☒

SENATE BILL/AMENDMENT	AYE	NO

Rep. *McL...*
(Signature)

HOUSE OF REPRESENTATIVES
COMMITTEE PROXY
JUDICIARY COMMITTEE

DATE 3/26/99

I request to be excused from the HOUSE JUDICIARY
Committee meeting this date because of other commitments. I desire
to leave my proxy vote with REP JOSE.

Indicate Bill Number and your vote Aye or No. If there are
amendments, list them by name and number under the bill and
indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT	AYE	NO

SENATE BILL/AMENDMENT	AYE	NO
22	X	
33	X	
34	X	

Rep. Robert Clark
(Signature)

HR:1993
WP/PROXY

HOUSE OF REPRESENTATIVES COMMITTEE PROXY

DATE March 26, 1999

I request to be excused from the Judiciary
Committee meeting this date because of other commitments. I desire
to leave my proxy vote with Rep. Clark.

Indicate Bill Number and your vote Aye or No. If there are
amendments, list them by name and number under the bill and
indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT	AYE	NO

SENATE BILL/AMENDMENT	AYE	NO
477		X
481		X
with Mohar on Amends - 486	X	(X)
503		X
505		X
463	X	
473	X	
198		X
22		X
33	(X)	
36		X

Rep. Rick Jones
(Signature)

HOUSE OF REPRESENTATIVES COMMITTEE PROXY

DATE _____

I request to be excused from the finaling
Committee meeting this date because of other commitments. I desire
to leave my proxy vote with Clark.

Indicate Bill Number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT	AYE	NO

SENATE BILL/AMENDMENT	AYE	NO
503		X
33	✓	
36	✓	
22 Follows		
Mr. Hoe		
only if amendment		
amended to include		
only prison guards.		
22	✓	

Rep. Molnar
(Signature)

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/26/99

TAPE COUNT

00

31

96-

114-

NOTES (EXEC. COUNCIL)

Chairman Clerk opened mtg. 8:00am

SB 477 - DoConen - Williams

Looney - encourage support

Nvernig - limited liability for?
"comfort level"

Guerin - agree w/ Nvernig.

Shockley - closed schools

Meyer - road dust from con

Nvernig - ~~for~~ mile sharing - years of lawsuit
is bottom of this.

2 - SB 477

DoConen

96/

Woyak, Meyer

Jore

(other absent)
hand vote

SB 481 - DoConen - Andersen

21 -

17 / Jore, Woyak

(other absent)
hand vote

SB 481 - DoConen

SB 486 - DoConen - Shockley

wait till Melnar here

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/26/99

TAPE COUNT

Cont

125-

NOTES (Exec. Act.)

SB 503 - DeLoe - Anderson
Anderson - defense Bar - Sherry

Shockey - familiar w/ atty sentencing
"community punishing"
Franklin - Shockey - other statutes covered
H/B chptl.

Shockey - responds -
Franklin - responds -
Noonig - interesting concept judges -
more comprehensive system w/ jury -

Bill needs more thought
DeLoe - pln how death penalty abuses -
P. Clark - no Active Amer. order with jury -
Anderson - agreed this -

Jacobs - more participation w/ govt
P. Clark - 2 part process - w/ jury sentencing
"equity"
history part of ea. person.

Noonig - John Connor de's Bar off of
statement that certain people
pln give death penalty.
Anderson -

More TO TABLE -
motion failed 8/11 (Ahner absent)
McLee - pln how all info
Franklin - only sentencing jury involved (null call)

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/26/99

Tape
Side A

TAPE COUNT

Cont.

Tape
Side B

NOTES (EXEC. CCH)

SB 503 -

Daennig - reply to Melba comment -

Murder - not chg. while jury system

Eggers - H+ Sponsor can achieve w/ Chubb -

jury w/ "no death" penalty -

P. Clark - if pro death penalty - ch choice

if actually on jury - w/ B. process -

Andersen - play out? (public opinion)

Wms - 4 other states doing this -

trust jury to make decision -

P. Clark - w/ jury seems for election - he

knows responsibility - jury o/n

not as choice -

jury has found guilty

Marty Thompson right - doing away

w/ death penalty

2 - SB 503 Do Concur

10/9

(Roll Call) (Almer absent)

171 -

SB 505 - Do Concur Andersen

Andersen - Amend - take out \$10 fee

page / Am 18

MOVE Amend

P. Clark - where?

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/26/99

TAPE COUNT

cont.

NOTES (Exec. Oct.)

SB 505

Mindle - has pay for legal assistance?
Anderson - significant -

Mindle - use cont. - s/pay fee.
Doenny - other people use cit. septems.
Fiscal note - amendment cuts 5/4
y # - program overhauler merit -

Yankin - B

Anderson - domestic abuse problem of cell
of us -

Facey - against amendment -

Z - Anderson amendment fair 6/12 (Roll Call)

Vonkin - support Bill

Shockley - family litigation (Almer, Top absent)
no proxy on amendment

Malnar - is must imitated every - \$ to collect?

Facey - churches need some help - \$
to do non-profits -

Coms - very powerful. Wheeler - 800 Veterans

in comm. of 10,000 people - Support Bill

Wyatt - Page 7 - Sect 3-4, Dec 10/91-75
"Strike" effective date 7/4/99 - only
MORE Amendment

Anderson - (quote) floor

Shockley - Separate Sect. 3 from 4

Z - Wyatt - More Amendment - Section 3

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/26/99

TAPE COUNT

cont.

NOTES (Exec. Oct.)

SB 505 -

McMaster - Expl. Sect. 3

Noemi - responses - which does Sect. 3 do?

Shakley -

2 -

in mtg. separate

Sect 3 Amendment

SB 505 amended

18/0
(voice vote)

Orleson - votes people

Wyatt -

absent - no proxy on amend

2 - Wyatt Amendment - (consensus)
SB 505 amended

18/0
(voice vote)

Orleson - scenario -

ahmy/sgt absent

Jacey - gas tax scenario

Noemi - Malena - # of cases

no proxy on amend

Malena - responses

Noemi - 340,000 per year / how # indigent?

Malena - responses

Noemi - indigent victim

Malena - responses

Noemi - s/n decide cases w/o attor -

"alternates dispute resolution"

Jacey - wife soc. wks - Seelken Soc. Sec.

Noemi - response

Jacey - response

Malena - fiscal note

Wyatt - there is no answer -

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/26/89

Tape 2
Side A

TAPE COUNT

Cmt.

NOTES (EXEC. CMT.)

~~SB 505~~

Yorkin - why are funding? no one asked out of Sen. fund -

Shooley - D in committee w/ Rom. Vio -
Mulren - missing something - found father
: mother

Nuenny - look @ Bill - page 7 line 3

Mulren - responds -

Wms - Mulren - guest victim

P. Clark - funds - legal situation before
so to court.

2 - SB 505 - Concerned as amended

Roll call 12/7

(Administrative)

360 -

SB 463 - Do Conen - Jacey

Jacey - ask manual from Mr.

Nuenny - 2nd paragraph. Not previously paid?

Shooley -

2 - SB 463 - Conen 19/0

(over
Cmt)

424

SB 473 - Do Conen Yorkin

Nuenny - good Bill

2 - SB 473 Do Conen 19/0
over

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/26/99

TAPE COUNT

00

NOTES (EXEC. ORD.)

SB 198 - Do Cerner - Centers
Shockey - move amendment -

clerk - paragraph 2
with clear amendment

Naennig - policy? good time - save
DOE official of litigation.

Yorlani - technical notes on book - conflicts
Centers - Shockey historical before - not worked.
Huddle - early release - not Shockey -
Shockey - 28 within - saved

liability has no merit.

Yorlani - where \$600,000 savings come
from?

Shockey - Fiscal Note are "skewed"

Anderson - responds to Yorlani -

Naennig - one to one correspondence from
Co. jail to MSP.

Line 12 Page 1 - savings is speculation.

Shockey - disagrees w/ Naennig -

ROBE amendment

Strike 20-23, line 13 of the new
insert "extraordinary" promises of discharge.

Naennig - debate change for the "also -

Z - Shockey Amendment Passes

19/0
(voice vote)

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/26/99

Tape 3
Sick 9

TAPE COUNT

Cont.

NOTES EXEC. Act.

(SB 198)

~~Clubs~~ - on certain liability

~~Clubs~~

R. Clark - Truth as sentencing damages

30 days can cause alot of harm -

Urgent - Sponsor has 25 up w/w Doc Septem

Aug 6 & Sept 8 -

Carlson - Liability

Z. SB 198 Do ~~Doc~~ Concern

9/10

(Rule Coll)
(Alman Absent)

305-

SB - 406 - Do Concern - Mulvan

Mulvan - page 3 line 21 page 4 line 24 page 5 line 1

MOVE, OMEN DME

Don't need page 6 also -

Exhibit 1

"Callous disregard"

Yankin - 2nd amendment ?

Shockley - maternal father story -

against amendment

Doermy - (separate amend. #4)

Cutro -

Mulvan - Shockley - Perm/Perm, from Reyes

Shockley - responses

Mulvan - response

Doermy - parental interest ? judge
dis certain

Mulvan - responses -

Tape 3
Sick B

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/26/99

Tape 3
Sicler

TAPE COUNT

cm.

NOTES (EXERCISE)

486

SB 120

Quinn - 12 new provisions

Malnar - responds -

Quinn - legis. o/n apply to the circumstances

Malnar - responds -

Quinn - disagree - has to do w/ am.
of parental rights

Soyd - sect. 42-2-610 - follow up w/ Quinn

Quinn - go w/ def. Bill

2 - Malnar Amend - # 1-3

Amend fail - # 1-3 (Vote vote)

Malnar - # 1

Amendment - 2 - (en 24 Ch in storm
a cellas des regard)

2. Amend # 2 fail (Vote vote)

Amend # 4 (Vote vote)

Shockley - 8

Quinn - page 3 (en 5 - explain - McMaster
McMaster - page 17 - explain - en 18

Quinn - West alarm long

McMaster - responds

Quinn - MOVE AMENDMENT

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/26/99

TAPE COUNT

Cont.

NOTES (Exec. Ad.)

SB 1080 486

2 - Commercial Agency 19/0
passes (Voice vote)

SB 1080 486 - Commercial
17/2 - Draft R. Clark
(Voice vote)

12 -

Committee Joint Resolution - Mental Health
Care

Wyatt - handout for your perusal.

Exhibit 2

- Exhibit handout -

arsenic interest committee

5/4 - Glenney Mess - update -

St w/ Cook on claim 5/1

Magellan done 2/1

"UK-FA" contacted by phone

status of woman -

yes for some Septem -

settlement agreed w/ Magellan

Sen Bee - 5/4 - oversight (Kenenam)

Sen. Swann: Claim

Public Health: Sue

Senate Hearing: Glass

proceed ahead - RFPs

reprovised Septem

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/28/99

TAPE COUNT

and.

NOTES

Committee Joint Resolution

State exercise risk & plan

Middle - resolution
Sept - response

Middle - too many committees
Wright - unofficial draft copy - must

approve by committee

coordinate w/ other committees?

Separate entities looking @ this -
"new job" together -

Denise: Chair

Center - overall program s/b no duplication
of effort - involve mental health
pro journals -

Sept - responds - congressional / pay invol.
regional: state courts councils

Shockley - Wright - Magellan D/N group,
yes essentially: never met

expressed properly -

Wright - responds -

Shockley - notes against moving to Heri office

Wright - responds -

Mulvan - did go to Heri office - 1995

page 2 line 3

make amendment -

keep "managed"

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAVELA SCHINDLER, Secretary

Date: 3/26/99

TAPE COUNT

Cont.

NOTES

Comm Joint Res.

R. Clark - O/n need nuclear / amendment -
Malman - respects

Murder - mgd. hired car (Hmo's "Kaiser Bernardo"
used in prevention -

Committee Approval - unanimous

L. Bank - who to meet again / suspend rules / etc.

Bill Draft Request Approved

SB 33- Do Reconciles - Shockley
Shockley - Greening / Authorized Ref.
11/19-

DOC pöytäkirjat otettiin piirien.

Anterior Chlamydia Bacteria was killed with heat

2-2033 remove, Kelly, Elio

SB33 of Table 1

SB-33 - Do Concurr Shockley - (Am absent)
Kilgus Berg - out of state purposes

More Amendments -

Chairman Clubs - Cornes

Rep. Joe W/B c/pd - Tom Chaceman

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/26/99

TAPE COUNT

end.

NOTES (Exec. Sec.)

SB 33

Ritzger - close loop links - McMaster -
Wright - makes wood panel - however -
reg. facilities already have

been built - etc - make, Ill. State Shelly
namo to check can control

Amleson - Wright's right

Shackley - Wright is right

Middle - wrong

P. Clark - Sheriff jurisdiction

McMaster - page 16 Am 19:24 - Co. Jail.
2 vectors at facility

Retention - jail

Daemoni - McMaster - correct facilities for both

McMaster - responds -

Worms - where does it seem who commits is not

to?

McMaster responds -

P. Clark - McMaster - commit/convicts in Ill.

2. Amendment Jail 8/15
how/late
(annual report)

SB33 - Do Cencen - Shackley

? - SB33 Do Cencen

10/9

~~McMaster responds~~
~~P. Clark~~

(Roll call
annual report)

LEGISLATIVE TAPE LOG

HOUSE JUDICIARY COMMITTEE

PAMELA SCHINDLER, Secretary

Date: 3/26/99

TAPE COUNT

NOTES

(Exec. Oct)

406 -

SB 36 - Sept - Reconciler
Sept. Explan. amendment
~~00000000~~ Exhibit

Anters - met upon adjournment?
Cous - has several amendments to SB 36 -

Z. - to Reconciler - SB 36 Passes

SB 36 Move to Concen. Sept
Motion Amendment

P. Clark - like amendment -

Daenny - has worked w/ pro/ops of Bill.
Shockey - supports amendment -

Z. - Amendment Pass voice vote

SB 36 Do Concen As Amended. Sept

Wms - at 4:30pm

Shockey - helps Reyle

~~000~~ Wudde - increases web. funds.

Daenny - Both right -

Anderson - Dis. Gov. Sullivan stuff -

P. Clark - Dis. Deal out of 8

Z. - SB 36 Do Concen As Amended

McMaster - has amendment before -

152

mtg adj. 11:30am

15/2
(Roll Call)
all present